

Sutter County Initial Study

- 1. Project title:** Project # - 08-015 (Montna Properties LP)
- 2. Lead agency name and address:** Sutter County Community Services, Planning Division
1130 Civic Center Boulevard, Yuba City CA 95993
- 3. Contact person and phone number:** Doug Libby, AICP
Principal Planner
530-822-7400
- 4. Project sponsor's name and address:** A&G Montna Properties LP
12755 Garden Highway
Yuba City CA 95991
- 5. Project Location (APN):** 819 Sacramento Avenue; The property is located west of Highway 99, south of Sacramento Avenue within the Sutter Bypass; Assessor's Parcels 29-210-022 and 29-230-014.
- 6. General Plan Designation:** Open Space (OS)
- 7. Zoning Classification:** General Agricultural-Flood Plain Combining District (AG-FP)
- 8. Description of project:** A use permit to establish a hunting clubhouse comprising 6,250 square feet containing 10 guest rooms, common kitchen and living area and caretaker quarters. Thirty-three paved parking spaces are proposed together with raised decking around the clubhouse and a boat dock. Sewage disposal is proposed to be handled by an onsite septic system and water is proposed to be provided by an onsite well. The hunting club development area will comprise 2± acres of a 494± acre parcel.

A variance is proposed to waive the County's requirement that a parcel have 50 feet of frontage upon an accepted and maintained County Road for building purposes. Access is proposed to be provided off of Sacramento Avenue by a private 30-foot wide easement that is currently developed with an 18-24 foot-wide dirt/gravel road.

Finally, a development agreement is proposed for the permanent conversion of agricultural land to waterfowl habitat suitable for migratory birds that will be comprised of the following land types:

- 17± acres of upland acreage.
- 414± acres of seasonal wetlands.
- 50± acres of semi permanent/permanent wetlands.
- 12± acres of perimeter roads, canals and ditches.

The property is subject to a U.S. Fish and Wildlife Service's (USFWS') Conservation Easement. The site is subject to the terms of a Wildlife Conservation Board (WCB's) grant agreement with Ducks Unlimited, Inc. (DU) for restoration of those lands. Implementation of this plan is

intended to provide high-quality wetland and upland habitat on the property. In accordance with the WCB's grant agreement with DU and the landowner, a wetland management plan will be implemented for the duration of the 25-year WCB Agreement. The California Department of Fish and Game's (DFG's) Comprehensive Wetland Habitat Program or its designee will conduct two site visits annually; one in the spring and one in the late summer (prior to fall flooding), as site conditions allow, to ensure compliance with the management plan and provide habitat management guidance. The landowner will work with DFG and USFWS staff to ensure the required management practices, such as discing and spring/summer irrigations, is implemented in the most effective manner possible. As this site is located within the Sutter Bypass that functions as a flood control mechanism, flooding of this area will continue to occur as it historically has in late winter/early spring of most years and often floods multiple times during that period. When flooded, water depths can reach up to 10 feet.

The conversion of agricultural land to wildlife habitat will involve onsite excavation and earthmoving activities involving grading and contouring the land to establish needed habitat types, roads, canals and ditches. Removal of soil from the site will restore the property to a relatively level grade with a slight slope to the west. The amount of material to be removed ranges from 0-3 feet across the property. This removal of soil will restore the site to historic grades and make the transfer of water on the property for habitat feasible. The total amount of soil to be removed from the project site will not exceed 650,000 cubic yards and is proposed to occur in 2009.

9. Surrounding land uses and setting: The project site is located northwesterly of the junction of the Feather River and Sutter Bypass within the Bypass. This is a rural portion of the County, mostly developed agriculturally with field crops (rice and beans) within the levees of the Bypass. In addition, undeveloped land exists to the south and southeast. Surrounding land uses in the vicinity outside the levees of the Bypass include rice, beans and safflower.

10. Other public agencies whose approval is required:

Central Valley Flood Protection Board

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED

The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a "Potentially Significant Impact" as indicated by the checklist on the following pages.

- | | | |
|--|--|--|
| <input type="checkbox"/> Aesthetics | <input type="checkbox"/> Agricultural Resources | <input type="checkbox"/> Air Quality |
| <input type="checkbox"/> Biological Resources | <input type="checkbox"/> Cultural Resources | <input type="checkbox"/> Geology/Soils |
| <input type="checkbox"/> Hazards/Hazardous Materials | | <input type="checkbox"/> Hydrology/Water Quality |
| <input type="checkbox"/> Land Use/Planning | <input type="checkbox"/> Mineral Resources | <input type="checkbox"/> Noise |
| <input type="checkbox"/> Population/Housing | <input type="checkbox"/> Public Services | <input type="checkbox"/> Recreation |
| <input type="checkbox"/> Transportation/Traffic | <input type="checkbox"/> Utilities/Service Systems | |

☐ Mandatory Findings of Significance

DETERMINATION

On the basis of this initial evaluation:

- ☐ I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.
- ☒ I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.
- ☐ I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.
- ☐ I find that the proposed project MAY have a “potentially significant impact” or “potentially significant unless mitigated” impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.
- ☐ I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

Applicant Mitigation Agreement:

As the applicant/representative for this proposed project, I hereby agree to implement the proposed mitigation measures and mitigation monitoring program identified within this document.

Signature of Applicant/Representative

Date

Signature of preparer

Date

Lisa Wilson
Environmental Control Officer

Date

I. AESTHETICS

Would the project:

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Have a substantial adverse effect on a scenic vista?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a site and its surroundings?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Substantially degrade the existing visual character or quality of the site and its surroundings?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Responses:

a) **Less than significant impact.** The project will not have a substantial adverse effect on a scenic vista. The General Plan Background Report lists natural features occurring in Sutter County; these include the Sutter Buttes, Feather, Sacramento, and Bear Rivers. The project site is located approximately 0.8 mile northwesterly from the Feather River and is not proximate to the Sutter Buttes. The project will establish a hunting clubhouse on 2 acres at the southeast corner of the 494± acre parcel. The proposed variance will permit private road access by an existing gravel road in lieu of the parcel having frontage on a County accepted and maintained roadway. Finally, a development agreement is proposed to convert the property from agricultural use to waterfowl habitat suitable for migratory birds.

Hunting clubs are a permitted activity in the AG District; however the Floodplain Combining District requires that a use permit be approved. As there are no vistas present on the site or the immediate area that will be impacted by this project, a less than significant impact is anticipated.

b) **No Impact.** This project will not damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway because there is no recognized scenic highway in the area that would be affected by the proposed project. As a result, no impacts are anticipated.

c) **Less than significant impact.** The project will not substantially degrade the existing visual character or quality of the site and its surroundings as most of the property will be converted from agricultural production (rice) to wildlife habitat suitable for migratory birds. The proposed clubhouse facility will not substantially degrade the quality of the site or surroundings because the structure will comply with the AG-FP District's development standards. From the vicinity, the clubhouse will appear to be large home/cabin which is consistent with the low density residential nature of the AG District. A less than significant impact is anticipated.

d) **Less than significant impact.** The project will not create a new source of substantial light or glare which would adversely affect day or nighttime views in the area because lighting will be limited to that typical of a residence at doorways and light coming from windows. Limited parking lot and dock lighting is proposed but will be restricted as much as possible so as not to

adversely affect the areas use for hunting. Based on the limited amount of light proposed for the site which is not unlike a residence that is a permitted use in the AG-FP District, staff will add a proposed condition requiring outdoor lighting be shielded and directed downward to limit glare in the area. A less than significant impact is anticipated.

(County of Sutter, General Plan 2015 Background Report. 1996)

II. AGRICULTURAL RESOURCES

In determining whether agricultural impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland.

Would this project:

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Responses:

a) **Less than significant impact.** The project will convert Farmland of Statewide Importance to non-agricultural use. Project site soils are designated "Prime and Unique Farmland" on the 2006 Sutter County Important Farm Land Map prepared by the California Resources Agency. The Soil Survey of Sutter County prepared by the Soil Conservation Service indicates soils are classified as Gridley clay loam and Conejo loam. The Gridley soil which comprises the majority of the property is considered a prime soil when irrigated; however, the Conejo soil is only considered a Class III soil when irrigated.

The project proposes to convert the site from agricultural use to permanent wildlife habitat which is a permitted use in the AG-FP District with the approval of a development agreement.

The loss of agricultural land due to the proposed project represents approximately 0.001 percent of the total of 343,659 acres in agricultural production in Sutter County. This amount of loss would constitute a very small portion of the agricultural land in the county and a less-than-significant impact will result.

b) **No Impact.** The project will not conflict with the existing zoning for agricultural use or a Williamson Act contract because the project involves a request to permanently convert agricultural land to wildlife habitat and the establishment of a hunting clubhouse, both of which are consistent with the AG-FP District. In addition, the project site is not encumbered by a Williamson Act contract so no impacts anticipated.

c) **Less than significant impact.** The project will convert land currently being farmed with rice to habitat. The lands surrounding the site are either farmed or serve as wildlife habitat already. Nothing about the land acquisition or conversion to habitat and establishment of a hunting clubhouse will affect the ability to farm surrounding farmland or result in the conversion of additional farmland. Habitat restoration of the site will not interfere with agricultural uses on surrounding lands so it is anticipated the project will have a less-than significant impact.

(U.S. Department of Agriculture, Soil Conservation Service Soil Survey – Sutter County, 1988. California Dept. of Conservation, Farmland Mapping and Monitoring Program, Soil Candidate Listing or Prime Farmland of Statewide Importance, 1995)

III. AIR QUALITY

Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. Would the project:

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Conflict with, or obstruct implementation of, the applicable air quality plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Violate any air quality standard or contribute substantially to an existing, or projected, air quality violation?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative threshold for ozone precursors)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Expose sensitive receptors to substantial pollutant concentrations?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Create objectionable odors affecting a substantial number of people?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Responses:

a) **Less than significant impact.** The project will not conflict with, or obstruct implementation of an air quality plan. The project engineer completed an analysis of the proposal using the Urbemis 2007 Version 9.2.4 computer model. The analysis was reviewed by the Feather River Air Quality Management District (FRAQMD). The model analyzes construction and operational air quality impacts of the project for the conversion of agricultural land to wildlife habitat,

specifically the removal of 650,000 cubic yards of soil from the property and the establishment of a hunting clubhouse.

The analysis concluded that with the implementation of Mitigation Measures 1 and 2 [see Section b) and c) below] air quality impacts will be reduced to a less than significant level and FRAQMD's ability to implement air quality plans will not be significantly affected. No additional mitigation measures are necessary.

b) Less than significant impact with mitigation is incorporated. The project will not violate any air quality standard or contribute substantially to an existing, or projected, air quality violation because an air quality analysis was completed for the project (Exhibit 1) that determined FRAQMD does not require construction emissions be estimated; however, FRAQMD does require standard construction emission mitigation measures and fugitive dust control best available mitigation measures be implemented as part of the project. With the incorporation of the following mitigation measure, construction emission impacts will be reduced to a less than significant level.

Mitigation Measure No. 1:

a. Implement the Fugitive Dust Control Plan consistent with FRAQMD's requirements.

b. Construction equipment exhaust emissions shall not exceed FRAQMD Regulation III, Rule 3.0, Visible Emissions limitations (40 percent opacity or Ringelmann 2.0). Operators of vehicles and equipment found to exceed opacity limits shall take action to repair the equipment within 72 hours or remove the equipment from service. Failure to comply may result in a Notice of Violation.

c. The primary contractor shall be responsible to ensure that all construction equipment is properly tuned and maintained prior to and for the duration of onsite operation.

d. Minimize idling time to 5 minutes – saves fuel and reduces emissions. (State idling rule: commercial diesel vehicles- 13 CCR Chapter 10 Section 2485 effective 02/01/2005; off road diesel vehicles- 13 CCR Chapter 9 Article 4.8 Section 2449 effective 05/01/2008)

e. Utilize existing power sources (e.g., power poles) or clean fuel generators rather than temporary power generators.

f. Develop a traffic plan to minimize traffic flow interference from construction activities. The plan may include advance public notice of routing, use of public transportation, and satellite parking areas with a shuttle service. Schedule operations affecting traffic for off-peak hours. Minimize obstruction of through-traffic lanes. Provide a flag person to guide traffic properly and ensure safety at construction sites.

g. Portable engines and portable engine-driven equipment units used at the project work site, with the exception of on-road and off-road motor vehicles, may require California Air Resources Board (ARB) Portable Equipment Registration with the State or a local district permit. The owner/operator shall be responsible

for arranging appropriate consultations with the ARB or the District to determine registration and permitting requirements prior to equipment operation at the site.

h. All grading operations on a project should be suspended when winds exceed 20 miles per hour or when winds carry dust beyond the property line despite implementation of all feasible dust control measures.

i. Construction sites shall be watered as directed by the Department of Public Works or Air Quality Management District and as necessary to prevent fugitive dust violations.

j. An operational water truck should be onsite at all times. Apply water to control dust as needed to prevent visible emissions violations and offsite dust impacts.

k. Onsite dirt piles or other stockpiled particulate matter should be covered, wind breaks installed, and water and/or soil stabilizers employed to reduce wind blown dust emissions. Incorporate the use of approved non-toxic soil stabilizers according to manufacturer's specifications to all inactive construction areas.

l. All transfer processes involving a free fall of soil or other particulate matter shall be operated in such a manner as to minimize the free fall distance and fugitive dust emissions.

m. Apply approved chemical soil stabilizers according to the manufacturers' specifications, to all-inactive construction areas (previously graded areas that remain inactive for 96 hours) including unpaved roads and employee/equipment parking areas.

n. To prevent track-out, wheel washers should be installed where project vehicles and/or equipment exit onto paved streets from unpaved roads. Vehicles and/or equipment shall be washed prior to each trip. Alternatively, a gravel bed may be installed as appropriate at vehicle/equipment site exit points to effectively remove soil buildup on tires and tracks to prevent/diminish track-out.

o. Paved streets shall be swept frequently (water sweeper with reclaimed water recommended; wet broom) if soil material has been carried onto adjacent paved, public thoroughfares from the project site.

p. Provide temporary traffic control as needed during all phases of construction to improve traffic flow, as deemed appropriate by the Department of Public Works and/or Caltrans and to reduce vehicle dust emissions. An effective measure is to enforce vehicle traffic speeds at or below 15 mph.

q. Reduce traffic speeds on all unpaved surfaces to 15 miles per hour or less and reduce unnecessary vehicle traffic by restricting access. Provide appropriate training, onsite enforcement, and signage.

r. Reestablish ground cover on the construction site as soon as possible and prior to final occupancy, through seeding and watering.

s. Disposal by Burning: Open burning is yet another source of fugitive gas and particulate emissions and shall be prohibited at the project site. No open

burning of vegetative waste (natural plant growth wastes) or other legal or illegal burn materials (trash, demolition debris, et. al.) may be conducted at the project site. Vegetative wastes should be chipped or delivered to waste to energy facilities (permitted biomass facilities), mulched, composted, or used for firewood. It is unlawful to haul waste materials offsite for disposal by open burning.

A copy of the approved Fugitive Dust Control Plan approved by FRAQMD shall be submitted to the Planning Division prior to the commencement of construction.

In addition, the operational impacts of the removal of 650,000 cubic yards of soil from the site were analyzed. FRAQMD has established numerical thresholds to implement the CEQA Guidelines. Projects estimated to result in daily operational emissions greater than 25 pounds per day for nitrous oxides (NOx), 25 pounds per day for reactive organic gases (ROG), or 80 pounds per day for respirable PM10 may result in significant air quality impacts. The Urbemis computer model was used to estimate emissions of area and mobile sources from project operations. Trip generation rates, derived from the project engineer and discussed in Section XV of this initial study were incorporated into the model.

It was determined the project will result in 69.38 lbs. ROG, 0.15 lbs. NOx and 13.5 lbs. PM10 per day of air emissions which exceed FRAQMD's ROG emission threshold. Through the incorporation of Mitigation Measure No. 1 this impact is partially mitigated. The Urbemis model recommended additional design mitigation be incorporated to further reduce ROG emissions to 11.13 lbs. per day which is below FRAQMD's thresholds of significance making the impact less than significant. As a result, Mitigation Measure No. 2 is recommended.

Mitigation Measure No. 2:

- a. Electrical outlets shall be installed on the exterior walls and parking lots to promote the use of electric landscape maintenance equipment.
- b. Paints and finishes incorporated used in all buildings shall be of low VOC (Volatile Organic Compounds) type.

c) **Less than significant impact.** The project will not result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative threshold for ozone precursors) because the air quality analysis determined the project will not result in a cumulatively considerable net increase of any criteria pollutant [see Section b) above]. With the incorporation of Mitigation Measures 1 and 2 the impacts are considered less than significant and no additional mitigation is necessary.

d,e) **Less than significant impact.** The project will not expose sensitive receptors to substantial pollutant concentrations and will not create objectionable odors affecting a substantial number of people because the completed air analysis considered the project's exposure of sensitive receptors to substantial concentrations of Carbon Monoxide (CO) where Sutter County is classified as an attainment area for federal CO standards. A project is assumed to have a less than significant impact on ambient CO concentrations if the traffic analysis for a project indicates the Level of Service on one or more streets or at one or more intersections in the project vicinity will be reduced to an LOS of E or F. The completed traffic analysis (Section XV of this Initial Study) determined all streets and intersections will operate at an LOS D or better consistent with General Plan policy. As a result, the project will not cause or

contribute to violations of the CO ambient air quality standards and a less than significant impact is anticipated.

(Feather River Air Quality Management District. 1998. *Indirect Source Review Guidelines*, Feather River Air Quality Management District. 2003. *Northern Sacramento Valley 2003 Air Quality Attainment Plan*.)

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
IV. BIOLOGICAL RESOURCES				
Would the project:				
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of a native wildlife nursery site?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Responses:

a) **Less than significant impact with mitigation incorporated.** The project will not have a substantial adverse effect on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies or regulations by the California Department of Fish

and Game or U.S. Fish and Wildlife Service because the property is not identified by the Department of Fish and Game's Natural Diversity database as containing such species. The nearest species identified include Bank Swallows and Sacramento Splittail located approximately 0.8 mile southeasterly from the project site along the Feather River. A Swainson's hawk nesting site is identified as being located approximately 600± feet southeast of the project site on property owned by the Sacramento/San Joaquin Drainage District (Assessor's Parcel No. 29-210-009).

The County's General Plan Background Report Figure 9.8-1 identifies areas in the County containing moderately or highly sensitive habitat areas. The project site and vicinity are recognized as being a moderately sensitive habitat area.

The California Department of Fish and Game reviewed the project and commented the project site is bound on the east, west and south by sloughs and riparian forest including Cottonwood and Willows. The property offers suitable upland habitat for giant garter snake (GGS), a state-listed species, and foraging habitat for Swainson's hawk which is a state and federally-listed species. The adjacent strip of riparian forest offers suitable nesting habitat for Swainson's hawk.

The project site provides upland habitat for the GGS in the location of the proposed hunting clubhouse; direct and indirect impacts could include the loss and displacement of individual snakes, the temporary disturbance of habitat, and road mortality. The California Department of Fish and Game provided the following guidelines for avoiding and minimizing impacts to these species that the County has incorporated into the project as mitigation to reduce potential impacts to a less than significant level.

Mitigation Measure No. 3:

- a. Construction activities are prohibited within 200-feet from the banks of giant garter snake aquatic habitat and the movement of heavy equipment shall be confined to existing roadways.
- b. Construction activity within the project site shall be restricted to occurring between May 1 and October 1. This is the active period for giant garter snakes and direct mortality is lessened, because snakes are expected to actively move and avoid danger.
- c. Construction personnel shall receive Service-approved worker environmental awareness training, instructing workers to recognize giant garter snakes and its habitat. Documentation shall be provided to the Planning Division prior to construction commencing demonstrating this environmental awareness training has been provided.
- d. Twenty-four hours prior to construction activities commencing, the project area shall be surveyed by a wildlife biologist for giant garter snakes. Survey of the project area should be repeated if a lapse in construction activity of two weeks or greater has occurred. If a snake is encountered during construction, activities shall cease until appropriate corrective measures have been completed or it has been determined the snake will not be harmed. Applicants and construction personnel shall report any sightings and any incidental take to the Service immediately by telephone at (916) 414-6600.

e. Any dewatered habitat shall remain dry for at least 15 consecutive days after April 15 and prior to excavating or filling of the dewatered habitat.

f. Prior to construction activities commencing in any given year, the applicant shall retain a wildlife biologist, approved by the California Department of Fish and Game, to survey the project area for Swainson's hawk in accordance with the Recommended timing and methodology for Swainson's hawk nesting surveys in California's Central Valley dated May 31, 2000. Copies of nesting surveys shall be submitted to the Department of Fish and Game for review and comment. The property owner/developer agrees to comply with recommended strategies for avoiding potential impacts to Swainson's hawk as may be required by the California Department of Fish and Game after reviewing survey results. Monitoring of identified nesting sites may be requested by the California Department of Fish and Game. A copy of nesting survey results submitted to the Department of Fish and Game shall also be provided to the Planning Division.

g. Prior to the commencement of construction activities for the clubhouse, parking area, boat dock, sewage disposal system and upgrading the access road, the property owner/developer shall provide the California Department of Fish and Game with written notification of the project under Fish and Game Code Section 1602 (Streambed Alteration Agreements) that applies to perennial, intermittent, and ephemeral rivers, streams and lakes in the State.

With the incorporation of Mitigation Measure No. 3 into the project, potential impacts to species identified as candidate, sensitive, or special status species will be reduced to a less than significant level.

b) **Less than significant impact.** The project will not have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service because ground disturbing activities establishing the clubhouse and wildlife habitat are either fallow or have historically been developed agriculturally with rice. The existing private access road will be upgraded to comply with fire access requirements of the Uniform Fire Code. A less than significant impact is anticipated.

c) **Less than significant impact.** The project will not have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means because the habitat restoration component of the project will occur on land that has historically been farmed as rice within the Bypass. Land proposed to be developed with a hunting clubhouse is fallow and not farmed and is considered an upland area that does not have wetlands present. The habitat restoration portion of the project will establish 17± acres of upland acreage, 414± acres of seasonal wetlands, 50± acres of semi permanent/permanent wetlands and 12± acres of perimeter roads, canals and ditches as part of a cooperative project with the landowner, U.S. Fish and Wildlife Service and the California Department of Fish and Game. A significant amount of new wetland habitat will result from the project so a less than significant impact is anticipated.

d) **Less than significant impact.** The project will not interfere with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory

wildlife corridors, or impede the use of a native wildlife nursery site because the project will result in the establishment of 17± acres of upland acreage, 414± acres of seasonal wetlands, 50± acres of semi permanent/permanent wetlands and 12± acres of perimeter roads, canals and ditches as part of a cooperative habitat restoration project between the landowner, U.S. Fish and Wildlife Service and the California Department of Fish and Game. This area is in the Pacific Flyway for waterfowl that are migratory birds.

This property has historically been hunted by the property owner and their invited guests. The proposed hunting clubhouse will be developed in an upland area at the southeast portion of the site and used seasonally. It is not anticipated the establishment of a hunting clubhouse will interfere with the movement of any resident or migratory fish or wildlife species or with any native resident or migratory wildlife corridors or impede the use of a native wildlife nursery site. It is anticipated the overall project will enhance such species and corridors. A less than significant impact is anticipated.

e) **Less than significant impact.** The proposed project will not conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance because Sutter County has not adopted such an ordinance. A less than significant impact is anticipated.

f) **No Impact.** The project will not conflict with an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan because there has been no such plan adopted that covers the area. The site and larger area is located within the boundary of the proposed Yuba-Sutter Natural Community Conservation Plan/Habitat Conservation Plan; however, that plan has not been completed or adopted so no impacts are anticipated.

(County of Sutter, General Plan 2015 Background Report. 1996)

V. CULTURAL RESOURCES

Would the project:

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Cause a substantial adverse change in the significance of a historical resource as defined in §15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Directly or indirectly destroy a unique paleontological resource or site, or unique geologic feature?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Disturb any human remains, including those interred outside of formal cemeteries?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Responses:

a)-d) **Less than significant impact.** The proposed project will not cause a substantial adverse change in the significance of a historical resource as defined in §15064.5, or an archaeological resource pursuant to §15064.5. Also, it will not directly or indirectly destroy a unique paleontological resource or site, or unique geologic feature; or disturb any human remains, including those interred outside of formal cemeteries. General Plan Background Section Figure 7.4.1 does not list the property as being a Historic Site. It appears there are no unique features or historical resources located on the parcel and the property is not located near a cemetery, therefore a less than significant impact to cultural resources as a result of the proposed project are anticipated.

California Health and Safety Code Section 7050.5 states that when human remains are discovered, no further site disturbance can occur until the County Coroner has made the necessary findings as to the origin of the remains and their disposition pursuant to Public Resources Code Section 5097.98. If the remains are recognized to be those of a Native American, the coroner shall contact the Native American Heritage Commission within 24 hours.

Public Resources Code Section 5097.98 states that whenever the Native American Heritage Commission receives notification of a discovery of Native American human remains from a county coroner, it shall immediately notify the most likely descendent from the deceased Native American. The descendants may inspect the site and recommend to the property owner a means for treating or disposing the human remains. If the Commission cannot identify a descendent, or the descendent identified fails to make a recommendation, or the landowner rejects the recommendation of the descendent, the landowner shall rebury the human remains on the property in a location not subject to further disturbance.

(County of Sutter, General Plan 2015 Background Report. 1996)

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
VI. GEOLOGY AND SOILS				
Would the project:				
a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:				
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zone Map issued by the State Geologist for the area, or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
ii) Strong seismic ground shaking?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iii) Seismic-related ground failure, including liquefaction?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iv) Landslides?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Result in substantial soil erosion or the loss of topsoil?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
c) Be located on a geological unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Responses:

a) **Less than significant impact.** The project will not expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving rupture of a known earthquake fault, strong seismic ground shaking, seismic-related ground failure, including liquefaction, or landslides because this project site as well as the majority of the County isn't located in an Alquist-Priolo Earthquake Fault Zone nor any area that is known to have an earthquake fault, strong seismic ground shaking, seismic-related ground failure, liquefaction, or landslides. The State Building Code identifies the County as being within Seismic Zone III. All proposed structures will be required to be designed and constructed in accordance with the construction requirements of the Building Code.

b) **Less than significant impact with Mitigation Incorporated.** With mitigation incorporated, the project will not result in substantial soil erosion or the loss of topsoil. As explained in the project description, agricultural land is proposed to be converted to permanent wildlife habitat. In addition, a hunting clubhouse is proposed to be established and accessed by an existing private gravel/dirt road. As part of the habitat restoration portion of the project, a maximum of 650,000 cubic yards of soil accumulated over time in the Bypass as water has seasonally flowed will be removed from the site to restore the property to historic grades that is relatively level with a slight slope to the west. The accumulated soil to be removed from the property will range from 0 to 3 feet across the site depending upon the location on the property. The removal of soil and leveling activity will allow increased management capability of the site so water can be transferred to different habitat types as needed. The loss of accumulated soil from the site as part of this habitat restoration project and establishment of a hunting clubhouse is a managed removal of material that is not due to soil erosion. As part of the restoration project, different habitat types will be established in lieu of the previous rice crop that has historically been farmed.

At the time soil is removed, the site's surface will be substantially disturbed and susceptible to erosion. Sediments from erosion will be controlled to limit off site discharge by using best management practices provided in the operator's approved Storm Water Pollution and Prevention Program (SWPPP). Upon final grading and re-vegetation of the site as habitat, no substantial soil erosion or loss of top soils is anticipated with the incorporation of Mitigation Measure No. 1 below.

Mitigation Measure No. 4: For grading activities of 1 acre or more, an applicant must obtain a General Permit from the State Water Resources Control Board (SWRCB) by filing a Notice of Intent (application and instructions are available online at SWRCB website). The applicant will receive a WDID Permit number from the SWRCB within two weeks which needs to be submitted to the County of Sutter, Division of Water Resources at 1130 Civic Center Blvd along with a copy of the applicant's Stormwater Prevention Pollution Plan (SWPPP). Once reviewed and approved by the County, the applicant is to abide by all conditions of the WDID permit and SWPPP.

c) **No Impact.** The project will not be located on a geological unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse because the General Plan Background Report does not recognize these types of geologic events as occurring in the County.

d) **Less than significant impact.** A significant portion of the County potentially contains expansive soils as depicted in Figure 10.3-1 of the General Plan Background Report which identifies the project site as having an Oswald-Gridley-Subaco soil which considered to be moderately expansive soil types. In addition, the County soil survey classifies the site soils as Marcum clay loam, Columbia fine sandy loam and Shanghai silt loam, which have a low to moderate shrink-swell potential pursuant to Table 13 of the Soil Survey.

All proposed construction is required to comply with State Building Code requirements, including Table 18-1B for foundation systems to address potentially expansive soils that could require special foundation design consideration. The Building Inspection Division will implement these standards as part of the building permit process and a less than significant impact is anticipated.

e) **Less than significant impact.** This project site does not have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater because the property has been evaluated by the County's Environmental Health Division and soils were found to be conducive to supporting an on-site septic system. Establishment of the hunting clubhouse within the Sutter Bypass together with an onsite septic system will require additional approvals, including but not limited to the California Regional Water Quality Control Board and the California Department of Water Resources. Issuance of a septic permit by the Environmental Health Division of the County will not occur until all required State and Federal approvals have been obtained. This will be reflected as a condition of approval on the project and a less than significant impact is anticipated.

(County of Sutter, General Plan 2015 Background Report. 1996)

VII. HAZARDS/HAZARDOUS MATERIALS

Would the project:

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Create a significant hazard to the public or the	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Impair implementation of, or physically interfere with, an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
h) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Responses:

a) **Less than significant impact.** The project will not create a significant hazard to the public or environment through the routine transport, use or disposal of hazardous materials because the developers/operators will be required to comply with Certified Unified Program Agency (CUPA) administered by the Environmental Health Division that requires Hazardous Materials Business Plans be prepared and implemented for all hazardous materials at or above 55 gallons of a liquid, 500 pounds for solids, or 200 cubic feet of compressed gas. Fuel for heavy equipment used to construct the project may be temporarily stored onsite. A condition will be added to the project requiring compliance with CUPA requirements as part of the construction of the site and a less than significant impact is anticipated.

b) **Less than significant impact.** The project will not create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment because the project will be required to comply with all Uniform Fire Code, State Building Code and CUPA requirements. These requirements will be reflected as conditions on the project and implemented through the building permit inspection process, fire inspections, and administration of the CUPA program for hazardous materials. A less than significant impact is anticipated.

c) **No Impact.** The project will not emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school because the nearest school (Robbins Elementary School) is located 1.6 miles south of the project site. No impacts are anticipated.

d) **No Impact.** The project is not proposed on property included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5. As a result, no impacts to the public or environment will occur.

e) **No Impact.** The project site is not located within the boundary of an airport land use plan or within two miles of a public airport or public use airport (it's approximately 13 miles from the Sutter County airport) and will therefore not result in a safety hazard for people residing or working in the project area.

f) **No Impact.** The project will not result in a safety hazard for people residing or working in the project area due to the presence or proximity of a private airstrip because there are no private airstrips proximate to the project site.

g) **Less than significant impact.** The project will not impair the implementation of, or physically interfere with, an adopted emergency response plan or emergency evacuation plan because access to the site is proposed to be provided by an existing private gravel/dirt road that will be required through project conditions to comply with the Uniform Fire Code access requirements. Parking for the hunting clubhouse will be required to comply with the County parking standards for development. Removal of soil from the site as part of the habitat restoration portion of the project will require through a project condition the applicant enter into a road maintenance agreement to address maintenance impacts of the project on Sacramento Avenue thereby not impacting access or emergency response ability to the area. A less than significant impact is anticipated.

h) **No Impact.** There will be no significant risk of loss, injury or death involving wildland fires as a result of the proposed project because the General Plan indicates the County does not have any significant wildland fire hazard areas.

(County of Sutter, General Plan 2015 Background Report. 1996 Sutter County Community Services Department)

Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
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VIII. HYDROLOGY AND WATER QUALITY

Would the project:

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Violate any water quality standards or waste discharge requirements?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Substantially deplete ground water supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) Otherwise substantially degrade water quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
h) Place within a 100-year flood hazard area structures which would impede or redirect flood flows?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
j) Inundation by seiche, tsunami, or mudflow?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Responses:

a) **Less than significant impact.** The project will not violate any water quality standards or waste discharge requirements. The habitat restoration component of the project will result in 1-3 feet of soil being removed from the property to restore historic grades to the land as part of the restoration work. In addition, a hunting clubhouse is proposed to be established at the

southeast corner of the property. These changes will cause surface disturbance leaving the ground susceptible to water erosion and siltation if run-off migrated off-site. Through the incorporation of Mitigation No. 4 (Section VI Geology and Soils) combined with the property being restored to wildlife habitat as described in this initial study, it is not anticipated the project will violate water quality standards or waste discharge requirements.

b) **Less than significant impact.** The project will not substantially deplete ground water supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted) because the proposed water well to serve the hunting clubhouse will be established in accordance with State and local water quality standards and all permits will be required to be secured prior to establishment of the hunting clubhouse. General Plan Background Report Figure 5.3-2 depicts the property being within a portion of the County having the highest well yields that are generally expected to be between 500-1,000 gallons per minute. As part of the building permit process for the hunting clubhouse, the project is required to conform to the California Energy Code which mandates energy efficiency for structures including plumbing fixtures. Water use for the seasonal hunting clubhouse is not viewed to be significant water consumer and a less than significant impact is anticipated. Water for wetland management is proposed to be obtained from two existing lift pumps in the east channel of the Bypass that have historically been used to supply water for the past rice growing operation. Due to this existing water entitlement in the Bypass being used for wildlife habitat instead of agricultural production, a significant impact upon groundwater supplies and groundwater recharge is not anticipated.

c) **Less than significant impact.** The project will not substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on or off site because with the incorporation of Mitigation Measure No. 4, sediments from erosion will be controlled to limit off site discharge by using best management practices provided in the operator's approved Storm Water Pollution and Prevention Program (SWPPP). Upon final grading and re-vegetation of the site as permanent wildlife habitat, no substantial soil erosion or loss of top soils is anticipated. As the site is located within the Sutter Bypass that functions as a flood control mechanism, flooding of this area will continue to occur as it historically has; however, this project is not viewed to substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river. As the California Department of Fish and Game considers areas within the Sutter Bypass to be subject to Section 1602 (Streambed Alteration Agreement) of the Fish and Game Code, development of the hunting clubhouse, parking area, boat dock, sewage disposal system and access road requires an agreement be entered into. With the implementation of Mitigation Measure No. 3(g) an agreement will be obtained and the potential impact is considered to be less than significant.

d) **Less than significant impact:** The project will not substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on or off site. The project will alter the existing drainage pattern of the site; however, when the Bypass is not carrying water as part of its flood control function, onsite drainage will be directed as needed to different habitat types proposed to be established. With the implementation of Mitigation Measures 3(g) and 4, potential impacts are considered to be reduced to a less than significant level and no additional mitigation is necessary.

e & f) **Less than significant impact:** The project will not create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff or otherwise degrade water quality. The project is not located in an area that is served by a public stormwater drainage system other than the function of the Sutter Bypass as a flood prevention mechanism. No additional sources of pollution or runoff would be created by approval of the project, as all on-site surface waters within the limits of excavation will be directed into wetland areas as part of the habitat restoration component of the project. Run-off from the site is not expected to exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff to the existing drainage system. The removal of built-up soil from the Bypass as part of re-establishing wildlife habitat will affectively increase the capacity for water in this seasonal drainage way. As a result, a less than significant impact is anticipated.

g) **Potentially significant unless mitigation is incorporated.** This project will place a hunting clubhouse within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map (FIRM) or other flood hazard delineation map. This parcel is within both a floodplain and a floodway. The FIRM map shows this area as a Special Flood Hazard Area (SFHA) – Zone “A”. This means the property will be inundated during a one-percent annual chance flood (i.e. a 100-year storm), and falls under the purview of County Ordinance 1780 (reference 1780-555).

The purpose of Ordinance 1780 is to restrict or prohibit uses which are dangerous to health, safety, and property due to water or erosion hazards, or which result in damaging increases in erosion or flood heights or velocities...control the alteration of natural floodplains, stream channels, and natural protective barriers which help accommodate or channel flood waters; control filling, grading, dredging, and other development which may increase flood damage. Section 1780-555(c) states that within an adopted regulatory floodway, the County of Sutter shall prohibit encroachments, including fill, new construction, substantial improvement, and other development, unless certification by a registered civil engineer is provided demonstrating that the proposed encroachment shall not result in any increase in flood levels during the occurrence of the base flood discharge.

Due to the proposed hunting clubhouse being proposed within a SFHA – Zone A, hydrology/hydraulic calculations have not been completed or approved by FEMA. This means the applicant would have to prepare a floodway analysis to determine the flows related to a one-percent annual chance flood, velocities, and the resulting Base Flood Elevations (BFEs). These flood characteristics will be used to analyze whether the project could be constructed without increasing the BFE within the floodway. [Reference 44 CFR 60.3(d)(3)]. The analysis must include not only any proposed building, but all access roads associated with the building.

Mitigation Measure 5: Prior to building permit issuance for the hunting clubhouse facilities, the property owner/developer shall submit to the Department of Public Works for review and approval:

a. A hydraulic analysis demonstrating that all proposed structures have been designed to minimize the probability of hindering flood waters in the Bypass during a flood event; including the incorporation of design features to reduce the potential for capturing or contributing to a build-up of water-borne debris.

b. A floodway analysis that determines the flows related to a one-percent annual chance flood, velocities, and the resulting Base Flood Elevations (BFEs) in the

project location for all proposed structures. These flood characteristics shall then be used to demonstrate that proposed structures will not increase the BFE within the floodway. [Reference 44 CFR 60.3(d) (3)]. The analysis shall include not only any proposed building, but all access roads associated with the building.

Based upon this analysis, the applicant shall provide certification by a California Registered Civil Engineer that the proposed encroachment within the floodway shall not result in any increase in flood levels during the occurrence of a base flood discharge.

With the incorporation of Mitigation Measure No. 5, it is anticipated that a less than significant impact to the flood hazard area and structures placed within the flood hazard area will result.

h) Less than significant impact. This project will place within a 100-year flood hazard area structures which could potentially impede or redirect flood flows because this parcel is within both a floodplain and a floodway. The FIRM map shows this area as a Special Flood Hazard Area (SFHA) – Zone “A”. This means the property will be inundated during a one-percent annual chance flood (i.e. a 100-year storm), and falls under the purview of County Ordinance 1780 (reference 1780-555).

The purpose of Ordinance 1780 is to restrict or prohibit uses which are dangerous to health, safety, and property due to water or erosion hazards, or which result in damaging increases in erosion or flood heights or velocities...control the alteration of natural floodplains, stream channels, and natural protective barriers which help accommodate or channel flood waters; control filling, grading, dredging, and other development which may increase flood damage. Section 1780-555(c) states that within an adopted regulatory floodway, the County of Sutter shall prohibit encroachments, including fill, new construction, substantial improvement, and other development, unless certification by a registered civil engineer is provided demonstrating that the proposed encroachment shall not result in any increase in flood levels during the occurrence of the base flood discharge.

Due to the proposed hunting clubhouse being proposed within a SFHA – Zone A, hydrology/hydraulic calculations have not been completed or approved by FEMA. This means the applicant would have to prepare a floodway analysis to determine the flows related to a one-percent annual chance flood, velocities, and the resulting Base Flood Elevations (BFEs). These flood characteristics will be used to analyze whether the project could be constructed without increasing the BFE within the floodway. [Reference 44 CFR 60.3(d)(3)]. The analysis must include not only any proposed building, but all access roads associated with the building. With the incorporation of Mitigation Measure No. 5, it is anticipated a less than significant impact to the flood hazard area and structures placed within the flood hazard area will result.

i) Less than significant impact: The project will not expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam. The General Plan Background Report lists several dams that could potentially flood the area if failure were to occur. The possibility of a dam break is considered to be remote; therefore, a less than significant impact is anticipated. The removal of built-up soil as part of the habitat restoration component of the project will provide additional capacity for water in the Sutter Bypass and assist in its flood protection function. The removal of this soil will occur in 2009, outside the recognized wet season. The clubhouse is proposed to be elevated 2-feet above the base flood elevation using steel piles or concrete structural columns. The clubhouse will be required to demonstrate, through the building permit process, compliance with the County's flood prevention ordinance in affect at the time of construction and current building

code standards. This will be implemented through project conditions and a less than significant impact is anticipated.

j) **Less than significant impact.** The project will have no impact on or be affected by inundation from seiche, tsunami, or mudflow because the removal of 650,000 cubic yards of built-up soil from the site within the Sutter Bypass as part of the habitat restoration will occur during 2009, outside the typical rain season. The affect of removing this soil will increase the water carrying capacity of the Sutter Bypass. The proposed hunting clubhouse is proposed to be established at the southeast corner of the property, just north of a wooded area within the Bypass. The clubhouse is proposed to be elevated 2-feet above the base flood elevation using steel piles or concrete structural columns. The clubhouse will be required to demonstrate, through the building permit process, compliance with the County's flood prevention ordinance in affect at the time of construction and current building code standards. This will be implemented through project conditions and a less than significant impact is anticipated.

(County of Sutter, General Plan 2015 Background Report. 1996)

(Federal Emergency Management Administration, Flood Insurance Rate Map, 1988)

IX. LAND USE AND PLANNING

Would the project:

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Physically divide an established community?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Conflict with any applicable habitat conservation plan or natural community conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Responses:

a) **No Impact.** The project will not physically divide an established community. The property is located approximately 13 miles south of Yuba City's incorporated city limits west of State Highway 99 and south of Sacramento Avenue within the Sutter Bypass. This portion of the County is very rural and the area is dominated by agricultural pursuits and is not located within an established community. There are no impacts anticipated.

b) **No Impact.** The project will not conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project adopted for the purpose of avoiding or mitigating an environmental effect. The hunting clubhouse component of the project is a use allowed by use permit in the AG-FP District (Section 1500-7912 (b) of the Zoning Code). In addition, the conversion of agricultural land to permanent wildlife habitat through approval of a development agreement is a permitted use by Section 1500-1412 of the Zoning Code.

A variance is requested to allow the project site to be developed utilizing a private access easement because the property does not have the required 50-feet of frontage on a County maintained roadway as required by the Zoning Code. If the variance is approved, the project will not conflict with any applicable land use plan, policy or regulation with jurisdiction over the project and no impacts are anticipated.

c) **No Impact.** The project will not conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan. The property is located within the boundary area of the proposed Yuba-Sutter County Natural Community Conservation Plan/Habitat Conservation Plan; however, this plan has been completed or adopted. As a result, no impacts are anticipated.

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
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X. MINERAL RESOURCES

Would the project:

a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Responses:

a) **No impact.** The project will not result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state. The project site contains built-up soil resulting from the flood control function of the Sutter Bypass and this soil is of value to the region and the state but is not considered a “mineral resource.” The project will result in the removal of a maximum of 650,000 cubic yards of built-up soil as part of restoring the property to historic grades and make the transfer of water on the property for habitat feasible. A less than significant impact is anticipated.

b) **No impact.** The project will not result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan. The General Plan and State of California Division of Mines and Geology Special Publication 132 do not list the site as having any substantial mineral deposits of a significant or substantial nature; therefore, the project will have no impact on locally designated, important mineral resources.

(County of Sutter, General Plan 2015 Background Report. 1996)

XI. NOISE

Would the project result in:

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Exposure of persons to, or generation of, noise levels in excess of standards established in the local general plan or noise ordinances, or applicable standards of other agencies?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Exposure of persons to, or generation of, excessive groundborne vibration or groundborne noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Responses:

a) **Less than significant impact.** The project will not expose persons to, or generate noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies because the removal of soil from the site as part of the habitat restoration component of the project is proposed to occur over one construction season. Earthmoving activities will occur Monday through Saturday typically from 7am to 5pm. Once this component of the project is complete, construction noise levels will dramatically decrease. Additional noise will result from the construction of the hunting clubhouse; however noise resulting from farming and seasonal hunting is anticipated not to be greater than presently exists as this property is hunted annually by the property owners and their invited guests. The nearest dwellings are located more than a mile away from the property along Sacramento Avenue east of Highway 99 and along the south side of Lee Road southeasterly from the project. Once the clubhouse portion of the project is completed, noise levels are anticipated to be less than the 70db Ldn as required by the General Plan and a less than significant impact will result.

b) **Less than significant impact.** The project will not expose persons to, or generate excessive groundborne vibration or groundborne noise levels because earthmoving activities as part of the habitat restoration component of the project are not anticipated to result in significant sources of groundborne vibration or noise. There are no blasting activities proposed as part of the project.

Scrapers and dozers will be used to remove 1-3 feet of soil from across the property to re-establish historic grades and contour the property as permanent wildlife habitat. Earthmoving activities will be limited to one construction season.

Development and operation of a portion of the property with a hunting clubhouse will not result in groundborne vibration or noise because no activity is proposed that would result in such an impact.

c) **Less than significant impact.** The project will not result in a substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project because the removal of soil from the site as part of the habitat restoration component of the project is proposed to occur for only one construction season. Earthmoving activities will occur Monday through Saturday typically from 7am to 5pm. Once this component of the project is complete, construction noise levels will dramatically decrease because heavy equipment and trucks will not be operating on the site. Additional noise will result from the construction of the hunting clubhouse; however noise resulting from farming and seasonal hunting is anticipated not to be greater than what presently exists because this property is already hunted annually by the property owners and their invited guests. The nearest dwellings are located more than a mile away from the property along Sacramento Avenue east of Highway 99 and along the south side of Lee Road southeasterly from the project. Once the clubhouse portion of the project is completed, noise levels are anticipated to return to near present conditions and a less than significant impact is anticipated.

d) **Less than significant impact.** The project will not result in a substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project. The habitat restoration component of the project is proposed to occur for one construction season and earthmoving activities will occur Monday through Saturday typically from 7am to 5pm. Once this component of the project is complete, construction noise levels will dramatically decrease because heavy equipment and trucks will not be continually operating at the site. Additional noise will result from the construction of the hunting clubhouse; however noise resulting from farming and seasonal hunting is anticipated not to be greater than what presently exists because this property is hunted annually by the property owners and their invited guests already. The nearest dwellings are located more than a mile away from the property along Sacramento Avenue east of Highway 99 and along the south side of Lee Road southeasterly from the project. Once the clubhouse portion of the project is completed, noise levels are anticipated to return to near present conditions and a less than significant impact is anticipated.

e) **No Impact.** The project will not expose people residing or working in the project area to excessive noise levels from a public airport or public use airport. The nearest public airport is the Sutter County Airport located approximately 13 miles northeasterly of the project site; therefore, the project will not expose of people residing or working in the project area to excessive noise levels from a public airport or public use airport. As a result, no impacts are anticipated.

f) **No Impact.** The project will not result in exposure to people residing or working in the project area to excessive noise levels from a private airstrip located within the vicinity. A review of aerial photographs does not show any private airstrips in the vicinity. General Plan Background Report Figure 4.13-1 identifies the nearest private airstrip being located in the Robbins area approximately 6-miles away. As a result, the project will not expose people residing or working

in the project area to excessive noise levels from a private air strip due to the project's location away from these facilities.

(County of Sutter, General Plan 2015 Background Report. 1996)

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
XII. POPULATION AND HOUSING				
Would the project:				
a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and business) or indirectly (for example, through extension of roads or other infrastructure)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Displace substantial numbers of people or existing housing, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Responses:

a) **No impact.** The project will not induce substantial population growth in an area, either directly or indirectly or displace a substantial number of people or existing housing. No housing presently exists on the site today. A hunting clubhouse including caretaker's quarters are proposed to be established together with the restoration project converting the agricultural land to wildlife habitat. This project will neither induce substantial population growth directly or indirectly and will not displace persons or homes in the area. No impacts are anticipated.

b) **No impact.** The project will not induce the displacement of substantial numbers of people or existing housing, necessitating the construction of replacement housing elsewhere. No housing is proposed to either be built or removed as a result of the project; therefore, no impact is anticipated.

(County of Sutter, General Plan 2015 Background Report. 1996)

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
XIII. PUBLIC SERVICES				
a) Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:				
i) Fire protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
ii) Police protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iii) Schools?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iv) Parks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
v) Other public facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Responses:

i) **Less than significant impact.** The project will have a less than significant impact on fire protection that is provided by Sutter Basin Fire District. The nearest fire station is located in the rural community of Robbins approximately four miles away. At this time, Sutter Basin Fire District has not adopted an impact fee ordinance. It is not anticipated the establishment of a hunting clubhouse with a variance from the County's public road frontage requirement will result in significant impacts to the district. Impacts to such a facility are not viewed as more significant than a home. The access road will be upgraded to comply with the Uniform Fire Code access standards. The removal of soil from the site as part of the habitat restoration project is not anticipated to result in a significant impact upon the district. As a result, the impacts are considered to be less than significant.

ii) **Less than significant impact.** This project will have a less than significant impact on police protection as law enforcement services are provided by the Sutter County Sheriff's Department and traffic control services are provided by the California Highway Patrol. Development impact fees for the hunting clubhouse will be collected to offset impacts to the Sherriff's Department and a less than significant impact is anticipated.

iii) **Less than significant impact.** The project will not result in substantial adverse physical impacts associated with the provision of new or physically altered school facilities, need for new or physically altered school facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any school. The project site is located within the Yuba City Unified School District; however, there are no school facilities in the project area. Impact fees to the school district will be paid during the building permit process for the hunting clubhouse to offset potential impacts to the district and a less than significant impact is anticipated.

iv) **No Impact.** The proposed project will not result in substantial adverse physical impacts associated with the provision of new or physically altered parks, need for new or physically altered parks, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for park facilities because project is located in a rural area within the Sutter Bypass and will not generate a need for or alter existing park facilities. There are no existing park facilities that will be affected by the proposed hunting clubhouse, variance for access and conversion of land to wildlife habitat. No impacts are anticipated.

v) **Less than significant impact.** The proposed project will not result in substantial adverse physical impacts associated with the provision of new or physically altered public facilities. There are no new public facilities proposed and no facilities are proposed to be altered by the

establishment of a private hunting clubhouse, variance for access to the property and conversion of land to wildlife habitat and the associated removal of soil from the site. Traffic and road impacts are discussed and addressed as part of Section XV of this Initial Study.

(County of Sutter, General Plan 2015 Background Report 1996)
(Zoning Code 1998, as updated)

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
XIV. RECREATION				
a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Responses:

a) **No Impact.** The project will not increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated. There are no park facilities in the vicinity due to agricultural nature of the area.

b) **No Impact.** The project does not include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment. The project does not propose any new recreational facilities or the expansion of existing recreational facilities; therefore no impact is anticipated.

(County of Sutter, General Plan 2015 Background Report. 1996)

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
XV. TRANSPORTATION/TRAFFIC				
Would the project:				
a) Cause an increase in traffic which is substantial in relation to the existing traffic load and capacity of the street system (i.e., result in a substantial increase in either the number of vehicle trips, the volume to capacity ratio on roads, or congestion at intersections)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Exceed, either individually or cumulatively, a level of	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that result in substantial safety risks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Substantially increase hazards due to a design feature (e.g. sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Result in inadequate emergency access?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) Result in inadequate parking capacity?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Responses:

a) **Less than significant impact.** The project will not cause an increase in traffic which is substantial in relation to the existing traffic load and capacity of the street system (i.e., result in a substantial increase in either the number of vehicle trips, the volume to capacity ratio on roads, or congestion at intersections). Traffic counts taken in 2008 for that portion of Sacramento Avenue west of Highway 99 show the roadway having an average daily traffic (ADT) volume of 364 vehicles. Sacramento Avenue is classified as a rural two-lane road. Such roadways having fewer than 1,600 ADT are considered to have a Level of Service (LOS) of "A" which is defined as having free and stable traffic flows. The proposed removal by truck of a maximum of 650,000 cubic yards of soil from the site over a five (5) month construction period will result in an average number of trips per day of 270 vehicles which will not reduce the LOS of Sacramento Avenue. The California Department of Transportation (Caltrans) commented the project will add truck traffic to SR 99 and will increase the minor street delay; however, it is temporary because the traffic increase will only occur in one construction season and the intersection of Sacramento Avenue and Highway 99 can handle this increase in traffic for a few months. Caltrans traffic operations do not see a need to mitigate this temporary increase of truck traffic.

The addition of a seasonal hunting clubhouse having ten (10) guest rooms will not cause an increase in traffic which is substantial in relation to the existing traffic volume of 364 ADT. A less than significant impact is anticipated.

b) **Less than significant impact.** This project will not exceed, either individually or cumulatively, a level of service standard established by the County's General Plan or the congestion management agency for designated roads or highways. Traffic counts taken in 2008 for that portion of Sacramento Avenue west of Highway 99 showed an average daily traffic (ADT) volume of 364 vehicles. Sacramento Avenue is classified as a rural two-lane road. Such roadways having fewer than 1,600 ADT are considered to have a Level of Service (LOS) of "A" which is defined as having free and stable traffic flows. The proposed removal by truck of a

maximum of 650,000 cubic yards of soil from the site over a five (5) month construction period will result in an average number of trips per day of 270 vehicles. These trips will be distributed throughout the construction day from 7am to 5pm Monday through Saturday. The addition of 270 vehicle trips per day for the removal of soil from the site will not reduce the level of service to below an "A" which exceeds General Plan Policy 2.A-4 that a LOS of "D" be maintained so a less than significant impact is anticipated.

c) **No Impact.** The project will not result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that result in substantial safety risks because the project is not located within the approach of any airports or airstrips. General Plan Background Report Figure 4.13-1 identifies the nearest private airstrip being located in the Robbins area approximately 6-miles away and the nearest public airport is the Sutter County Airport located approximately 13 miles northeasterly of the project site. As a result, the project is located outside of the flight paths of proximate airport facilities so as not to result in an impact.

d) **Less than significant impact.** The project will not substantially increase hazards due to a design feature (e.g. sharp curves or dangerous intersections) or incompatible uses. This area of the County is very rural and has historically been farmed. The project will utilize an existing private gravel/dirt road to access the property that connects with Sacramento Avenue. At the time a building permit for the hunting clubhouse is submitted, the Public Works Department will require that a commercial driveway approach be constructed as part of the project. This will be implemented through a project condition. The Public Works Department has reviewed the project and has not identified any increased hazards as a result of the project.

The haul route identified for soil being removed from the property is from Sacramento Avenue to Highway 99 and then northward to the Tudor Road Bypass project being undertaken by Caltrans in 2009. Caltrans has reviewed this project and responded this intersection can handle the increased traffic resulting from the removal of soil from the property because that portion of the project is temporary and will only last one construction season and a less than significant impact is anticipated. The Public Works Department has indicated that as a project condition, the applicant will be required to enter into a road maintenance agreement to address safety impacts of the project on Sacramento Avenue. A less than significant impact is anticipated.

e) **Less than significant impact.** The project will not result in inadequate emergency access because through project conditions, an approved fire access road in accordance with the Uniform Fire Code will be required to be provided and a less than significant impact will result.

f) **No impact.** The project will not result in an inadequate parking capacity. The property involved can provide on-site parking as required by the Zoning Code and this will be implemented through project conditions.

g) **No impact.** The project will not conflict with adopted policies, plans, or programs supporting alternative transportation. This area of the County is rural in nature and does not have any alternative transportation options available.

(Institute of Traffic Engineers, Trip Generation Manual, 7th Edition)
(County of Sutter, General Plan 2015 Background Report. 1996)

XVI UTILITIES AND SERVICE SYSTEMS

Would the project:

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or, are new or expanded entitlements needed?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Result in a determination by the wastewater treatment provider which serves or may serve the project that it had adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g) Comply with federal, state, and local statutes and regulations related to solid waste?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Responses:

a) **Less than significant impact.** The project will not exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board because the on-site septic system proposed to serve the hunting clubhouse is required to be designed by a licensed professional and installed under permit by the County's Environmental Health Division. In addition, approval of the project from the State's Central Valley Flood Protection Board is also required. Conditions of approval will be added to the project requiring that a demonstration of compliance with each agency's requirements has been made. With the project's compliance with local and State standards, the impact is considered to be less than significant.

b) **Less than significant impact.** The project will not require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects. The hunting clubhouse will require the construction of a private well and septic system. Both of these facilities will be required to comply with County ordinance requirements and be installed under permit from the County's Environmental Health Division. In addition, approval of the project is required to be obtained from the Central Valley Flood Protection Board. Conditions of approval will be added to the project requiring that a demonstration of compliance with each agency's requirements has been

made. With the project's compliance with local and State standards, staff considers the impact to be less than significant.

c) **Less than significant impact.** The project will not require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects because the function of the Sutter Bypass is to act as a flood control mechanism. The removal of 1-3 feet of soil from the property and contouring of the land as a part of a habitat restoration project will increase the water carrying capacity of the Bypass in this area. Site drainage will be altered to develop different wildlife habitats as discussed in this initial study, however; no new storm water drainage facilities or significant expansion of existing facilities are proposed. The proposed hunting clubhouse at the southeast corner of the property will be established on an upland area. The site is large enough for runoff to either percolate into the ground or flow offsite as part of the Bypass functioning in its flood prevention role. A less than significant impact is anticipated.

d) **Less than significant impact.** The project will have sufficient water supplies available to serve the project from existing entitlements and resources because a private well constructed under permit from the Environmental Health Division will be established to serve the hunting clubhouse. Water for habitat management is proposed to be obtained from two existing lift pumps in the east channel of the Bypass that have historically been used to supply water for past agricultural operations. Due to this existing water entitlement in the Bypass being used for wildlife habitat instead of agricultural production, no additional water supplies are required to serve the project and a less than significant impact is anticipated.

e) **Less than significant impact.** The project will not result in a determination by the wastewater treatment provider which serves or may serve the project that it had adequate capacity to serve the project's projected demand in addition to the provider's existing commitments because there is no wastewater treatment provider that serves the area. A septic system is proposed to be established within the Bypass to serve the hunting clubhouse. This system is required to be installed under permit from the County's Environmental Health Division in compliance with local and state standards. In addition, the establishment of the facility will require approval from the State's Central Valley Flood Protection Board. Conditions of approval will be added to the project requiring that a demonstration of compliance with each agency's requirements has been made. With the project's compliance with local and State standards, the impact is considered to be less than significant.

f), g) **Less than significant impact.** The proposed tentative parcel map will have a less than significant impact on solid waste. Solid waste from the project will be disposed of through the local waste disposal company in a sanitary landfill in Yuba County which has sufficient capacity to serve the project. Project disposal of solid waste into that facility will comply with all federal, state and local statutes and regulations related to solid waste.

XVII. MANDATORY FINDINGS OF SIGNIFICANCE

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Does the project have the potential to achieve short-term environmental goals to the disadvantage of long-term environmental goals?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are significant when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Responses:

a) **Less than significant impact.** No environmental effects were identified in the initial study which indicate the project will have the ability to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory.

b) **Less than significant impact.** No environmental effects were identified in the initial study which indicates the project would have impacts that achieve short term goals to the disadvantage of long term environmental goals.

c) **Less than significant impact.** No environmental effects were identified in the initial study which indicates the project would have impacts that are individually limited, but cumulatively considerable.

d) **Less than significant impact.** No environmental effects which will cause substantial adverse effects on human beings either directly or indirectly were identified in the initial study.

XVIII MITIGATION MONITORING PROGRAM – Project #08-015 (Montna Properties L.P.)

Mitigation Measure	Timing	Monitoring Agency
<p>III.B (Air Quality Aesthetics) <u>Mitigation Measure No. 1</u></p> <p>a. Implement the Fugitive Dust Control Plan consistent with FRAQMD's requirements.</p> <p>b. Construction equipment exhaust emissions shall not exceed FRAQMD Regulation III, Rule 3.0, Visible Emissions limitations (40 percent opacity or Ringelmann 2.0). Operators of vehicles and equipment found to exceed opacity limits shall take action to repair the equipment within 72 hours or remove the equipment from service. Failure to comply may result in a Notice of Violation.</p> <p>c. The primary contractor shall be responsible to ensure that all construction equipment is properly tuned and maintained prior to and for the duration of onsite operation.</p> <p>d. Minimize idling time to 5 minutes – saves fuel and reduces emissions. (State idling rule: commercial diesel vehicles- 13 CCR Chapter 10 Section 2485 effective 02/01/2005; off road diesel vehicles- 13 CCR Chapter 9 Article 4.8 Section 2449 effective 05/01/2008)</p> <p>e. Utilize existing power sources (e.g., power poles) or clean fuel generators rather than temporary power generators.</p> <p>f. Develop a traffic plan to minimize traffic flow interference from construction activities. The plan may include advance public notice of routing, use of public transportation, and satellite parking areas with a shuttle service. Schedule operations affecting traffic for off-peak hours. Minimize obstruction of through-traffic lanes. Provide a flag person to guide traffic properly and ensure safety at construction sites.</p> <p>g. Portable engines and portable engine-driven equipment units used at the project work site, with the exception of on-road and off-road motor vehicles, may require California Air Resources Board (ARB) Portable Equipment Registration with the State or a local district permit. The owner/operator shall be</p>	<p>Prior to construction commencing and ongoing.</p>	<p>The Feather River Air Quality Management District.</p>

Mitigation Measure	Timing	Monitoring Agency
<p>responsible for arranging appropriate consultations with the ARB or the District to determine registration and permitting requirements prior to equipment operation at the site.</p> <p>h. <u>All grading operations</u> on a project should be suspended when winds exceed 20 miles per hour or when winds carry dust beyond the property line despite implementation of all feasible dust control measures.</p> <p>i. <u>Construction sites shall be watered</u> as directed by the Department of Public Works or Air Quality Management District and as necessary to prevent fugitive dust violations.</p> <p>j. <u>An operational water truck</u> should be onsite at all times. Apply water to control dust as needed to prevent visible emissions violations and offsite dust impacts.</p> <p>k. <u>Onsite dirt piles</u> or other stockpiled particulate matter should be covered, wind breaks installed, and water and/or soil stabilizers employed to reduce wind blown dust emissions. Incorporate the use of approved non-toxic soil stabilizers according to manufacturer's specifications to all inactive construction areas.</p> <p>l. <u>All transfer processes</u> involving a free fall of soil or other particulate matter shall be operated in such a manner as to minimize the free fall distance and fugitive dust emissions.</p> <p>m. <u>Apply approved chemical soil stabilizers</u> according to the manufacturers' specifications, to all-inactive construction areas (previously graded areas that remain inactive for 96 hours) including unpaved roads and employee/equipment parking areas.</p> <p>n. <u>To prevent track-out</u>, wheel washers should be installed where project vehicles and/or equipment exit onto paved streets from unpaved roads. Vehicles and/or equipment shall be washed prior to each trip. Alternatively, a gravel bed may be installed as appropriate at vehicle/equipment site exit points to effectively remove soil buildup on tires and tracks to prevent/diminish track-out.</p> <p>o. <u>Paved streets shall be swept</u> frequently (water</p>		

Mitigation Measure	Timing	Monitoring Agency
<p>sweeper with reclaimed water recommended; wet broom) if soil material has been carried onto adjacent paved, public thoroughfares from the project site.</p> <p>p. <u>Provide temporary traffic control</u> as needed during all phases of construction to improve traffic flow, as deemed appropriate by the Department of Public Works and/or Caltrans and to reduce vehicle dust emissions. An effective measure is to enforce vehicle traffic speeds at or below 15 mph.</p> <p>q. <u>Reduce traffic speeds</u> on all unpaved surfaces to 15 miles per hour or less and reduce unnecessary vehicle traffic by restricting access. Provide appropriate training, onsite enforcement, and signage.</p> <p>r. <u>Reestablish ground cover</u> on the construction site as soon as possible and prior to final occupancy, through seeding and watering.</p> <p>s. <u>Disposal by Burning</u>: Open burning is yet another source of fugitive gas and particulate emissions and shall be prohibited at the project site. No open burning of vegetative waste (natural plant growth wastes) or other legal or illegal burn materials (trash, demolition debris, et. al.) may be conducted at the project site. Vegetative wastes should be chipped or delivered to waste to energy facilities (permitted biomass facilities), mulched, composted, or used for firewood. It is unlawful to haul waste materials offsite for disposal by open burning.</p> <p>A copy of the approved Fugitive Dust Control Plan approved by FRAQMD shall be submitted to the Planning Division prior to the commencement of construction.</p>		
<p>III.B (Air Quality) Mitigation Measure No. 2:</p> <p>a. Electrical outlets shall be installed on the exterior walls and parking lots to promote the use of electric landscape maintenance equipment.</p> <p>b. Paints and finishes incorporated used in all buildings shall be of low VOC (Volatile Organic Compounds) type.</p>	<p>At the time of construction of the hunting clubhouse facilities / ongoing.</p>	<p>The Feather River Air Quality Management District.</p>

Mitigation Measure	Timing	Monitoring Agency
<p>IV. A. (Biological Resources) Mitigation Measure No. 3:</p> <p>a. Construction activities are prohibited within 200-feet from the banks of giant garter snake aquatic habitat and the movement of heavy equipment shall be confined to existing roadways.</p> <p>b. Construction activity within the project site shall be restricted to occurring between May 1 and October 1. This is the active period for giant garter snakes and direct mortality is lessened, because snakes are expected to actively move and avoid danger.</p> <p>c. Construction personnel shall receive Service-approved worker environmental awareness training, instructing workers to recognize giant garter snakes and its habitat. Documentation shall be provided to the Planning Division prior to construction commencing demonstrating this environmental awareness training has been provided.</p> <p>d. Twenty-four hours prior to construction activities commencing, the project area shall be surveyed by a wildlife biologist for giant garter snakes. Survey of the project area should be repeated if a lapse in construction activity of two weeks or greater has occurred. If a snake is encountered during construction, activities shall cease until appropriate corrective measures have been completed or it has been determined the snake will not be harmed. Applicants and construction personnel shall report any sightings and any incidental take to the Service immediately by telephone at (916) 414-6600.</p> <p>e. Any dewatered habitat shall remain dry for at least 15 consecutive days after April 15 and prior to excavating or filling of the dewatered habitat.</p> <p>f. Prior to construction activities commencing in any given year, the applicant shall retain a wildlife biologist, approved by the California Department of Fish and Game, to survey the project area for Swainson's hawk in accordance with the <u>Recommended timing and methodology for Swainson's hawk nesting surveys in California's Central Valley</u> dated May 31, 2000. Copies of nesting surveys shall be submitted to the Department of Fish and Game for review and comment. The</p>	<p>Prior to construction commencing and ongoing.</p>	<p>The California Department of Fish and Game.</p>

Mitigation Measure	Timing	Monitoring Agency
<p>property owner/developer agrees to comply with recommended strategies for avoiding potential impacts to Swainson's hawk as may be required by the California Department of Fish and Game after reviewing survey results. Monitoring of identified nesting sites may be requested by the California Department of Fish and Game. A copy of nesting survey results submitted to the Department of Fish and Game shall also be provided to the Planning Division.</p> <p>g. Prior to the commencement of construction activities for the clubhouse, parking area, boat dock, sewage disposal system and upgrading the access road, the property owner/developer shall provide the California Department of Fish and Game with written notification of the project under Fish and Game Code Section 1602 (Streambed Alteration Agreements) that applies to perennial, intermittent, and ephemeral rivers, streams and lakes in the State.</p>		
<p>VI. B. (Geology and Soils) Mitigation Measure No. 4:</p> <p>For grading activities of 1 acre or more, an applicant must obtain a General Permit from the State Water Resources Control Board (SWRCB) by filing a Notice of Intent (application and instructions are available online at SWRCB website). The applicant will receive a WDID Permit number from the SWRCB within two weeks which needs to be submitted to the County of Sutter, Division of Water Resources at 1130 Civic Center Blvd along with a copy of the applicant's Stormwater Prevention Pollution Plan (SWPPP). Once reviewed and approved by the County, the applicant is to abide by all conditions of the WDID permit and SWPPP.</p>	<p>Prior to the commencement of the project.</p>	<p>Planning Division.</p>
<p>VIII. G. (Hydrology and Water Quality) Mitigation Measure 5:</p> <p>Prior to building permit issuance for the hunting clubhouse facilities, the property owner/developer shall submit to the Department of Public Works for review and approval:</p> <p>a. A hydraulic analysis demonstrating that all proposed structures have been designed to minimize the probability of hindering flood waters in the Bypass</p>	<p>Prior to building permit issuance for the hunting clubhouse facilities</p>	<p>Public Works Department.</p>

Mitigation Measure	Timing	Monitoring Agency
<p>during a flood event; including the incorporation of design features to reduce the potential for capturing or contributing to a build-up of water-borne debris.</p> <p>b. A floodway analysis that determines the flows related to a one-percent annual chance flood, velocities, and the resulting Base Flood Elevations (BFEs) in the project location for all proposed structures. These flood characteristics shall then be used to demonstrate that proposed structures will not increase the BFE within the floodway. [Reference 44 CFR 60.3(d) (3)]. The analysis shall include not only any proposed building, but all access roads associated with the building. Based upon this analysis, the applicant shall provide certification by a California Registered Civil Engineer that the proposed encroachment within the floodway shall not result in any increase in flood levels during the occurrence of a base flood discharge.</p>		

Bibliography

County of Sutter. 1996. *General Plan 2015*

County of Sutter. 1996. *General Plan 2015 Background Report*

County of Sutter. 1996. *General Plan 2015 Environmental Impact Report*

County of Sutter. 2005. *Zoning Code*

American Red Cross. 1998. *Three Rivers Chapter Disaster Plan*

California Department of Conservation, Division of Mines and Geology. 1999. *Special Publication 42: Fault Rupture Hazard Zones in California*

California Department of Conservation, Division of Mines and Geology. 1986. *Special Report 132: Mineral Land Classification: Portland Cement and Concrete-Grade Aggregate in the Yuba City-Marysville Production-Consumption Area*

California Department of Toxic Substances Control, 2007. *Hazardous Waste and Substances Site List - Site Cleanup (Cortese List)*

California Resources Agency. 2006. *Sutter County Map of Farmlands of Statewide Importance*

Feather River Air Quality Management District. 1998. *Indirect Source Review Guidelines*

Feather River Air Quality Management District. 2003. *Northern Sacramento Valley 2003 Air Quality Attainment Plan*

Federal Emergency Management Agency. 1988. *Flood Insurance Rate Maps*

Institute of Traffic Engineers. Seventh edition, 2003. *Trip Generation*

Natural Resources Conservation Service. 1988. *Sutter County Soil Survey*

Natural Resources Conservation Service. 1992. *Field Office Official List of Hydric Soil Map Units for Sutter County, California*

Sacramento Area Council of Governments. 1998. *Regional Aviation System Plan*

State of California. Department of Toxic Substances Control. 1998. *Hazardous Waste and Substances Sites List*

Sutter County Office of Emergency Services. 1980. *Dam Failure Evacuation Plan*

United States Geological Survey Quadrangles

U. S. Department of Housing and Urban Development. *The Noise Guidebook*